1. Status of the Claims.

Claims 1-24 are pending in the application. The examiner has rejected claims 1, 2, and 16 under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,650,705 to Vetro et al. ("Vetro"). The examiner also has rejected claims 3-12 and 17-22 under 35 U.S.C. § 103(a) as unpatentable over Vetro in view of U.S. Patent No. 4,989,257 to Horowitz. Finally, the examiner has rejected claims 13-15, 23, and 24 under 35 U.S.C. § 103(a) as unpatentable over Vetro in view of U.S. Patent No. 6,404,814 to Apostolopoulos et al. ("Apostolopoulos").

2. Claims 1, 2, And 16 Are Not Anticipated By Vetro.

Claim 1 recites, in part, "defining a first object class having a first object criteria that is at least partially related to the target-specific utility of the image" and "recognizing an object within the image as a member of said first object class if said object substantially meets said first object criteria of said first object class." Claim 2 depends from claim 1 and, therefore, also recites these limitations. Claim 16 recites "an object processor configured to receive the image and synthesize an object existing within the image" and "a classification engine configured [to] recognize said object existing within the image as a member of a first object class if said object substantially meets first object criteria of said first object class that is at least partially related to the target-specific utility of the image." Support for these limitations can be found in the specification. *See, e.g.,* page 13, line 22 through page 14, line 13, which cites land, sea, and air vehicles such as tanks, ships, and aircraft as examples of object classes and shape, size, and texture as examples of object criteria.

Referring to "Figure 5, Shape Analysis 592, Figure 6, Figure 7, Objects 711; Column 9, Lines 3-61" of Vetro, the examiner has stated that Vetro discloses the foregoing limitations. Applicant respectfully disagrees. Applicant respectfully submits that the shape analysis 592 disclosed by Vetro at, for example, column 9, lines 3-61, simply extracts shape features of an object within an image and uses these shape features to determine whether variable temporal resolution can be achieved without composing problems, such as holes that can be created when a first object within an image is resolved at a different rate than a second object within the image. Vetro does not teach or suggest defining an object class having a first object criteria and analyzing an image to determine whether an object therein is a member of such an object class based on the object substantially meeting such first object criteria.

Based on at least the above distinctions, Applicant respectfully submits that claims 1, 2, and 16 are allowable over Vetro and respectfully requests that the examiner reconsider and withdraw this basis for rejection.

3.   The Rejections Under 35 U.S.C. § 103(a) Are Moot.

Each of claims 2-15 and 17-24 depends from claim 1 and 16, respectively, which Applicant respectfully submits are allowable over the prior art of record. Accordingly, Applicant respectfully submits that the rejections of these claims under 35 U.S.C. § 103(a) based on Vetro and the secondary references cited by the examiner are moot and respectfully requests that the examiner reconsider and withdraw these bases for rejection.

4.   The "Notice of References Cited" Does Not List Apostolopoulos.

Applicant notes that the examiner has relied on Apostolopoulos as a basis for rejection of the claims. However, Apostolopoulos does not appear on the "Notice of References Cited."

Applicant respectfully requests that the examiner provide to Applicant and place in the file a "Notice of References Cited" identifying Apostolopoulos as having been considered in the prosecution of this application.

5.   The Application Is In Condition For Allowance.

Applicant respectfully submits that the application is in condition for allowance and respectfully requests reconsideration towards that end.

Respectfully submitted,

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